

RESOLUTION OF THE OGLALA SIOUX TRIBAL COUNCIL
OF THE OGLALA SIOUX TRIBE
(An Unincorporated Tribe)

RESOLUTION OF THE OGLALA SIOUX TRIBAL COUNCIL OF THE OGLALA SIOUX TRIBE
RESCINDING RESOLUTION 20-18.

WHEREAS, the Oglala Sioux Tribe adopted its Constitution and By-Laws by referendum vote on December 14, 1935, in accordance with Section 16 of the Indian Reorganization Act of 1934 (25 U.S.C. § 5123) and under Article III of the Oglala Sioux Tribe Constitution, the Oglala Sioux Tribal Council is the governing body of the Oglala Sioux Tribe, and

WHEREAS, pursuant to the Constitution and By-Laws of the Oglala Sioux Tribe, the Oglala Sioux Tribal Council exercises legislative powers to enact and promulgate resolutions and ordinances, and

WHEREAS, Article IV, Sections 1(f), 1(k), 1(m), 1(w) empower the Tribal Council to manage the economic affairs of the Tribe, protect and preserve the property of the Tribe, adopt laws governing the conduct of persons on the Pine Ridge Indian Reservation, and adopt laws protecting and promoting the health and general welfare of the Oglala Sioux Tribe and its membership, and

WHEREAS, Article IV, Section 1(a) authorizes the Tribal Council to negotiate with Federal, State, and local governments on behalf of the Tribe and to advise and consult on behalf of the Tribe, and

WHEREAS, health care is a treaty right of the Oglala Sioux Tribe and a responsibility and obligation of the United States Government, as recognized by the United States Constitution, Article I, §8, the 1851 Treaty of Fort Laramie (11 Stat. 749), the 1868 Treaty with the Sioux (15 Stat. 635), numerous laws, U.S. Supreme Court cases, and Executive Orders, and

WHEREAS, the Oglala Sioux Tribe has been negotiating with the Indian Health Service about the Tribe's decision set forth in Oglala Sioux Tribal Council Resolution 20-18 to retrocede the OST Ambulance Service Program back to the Indian Health Service due to the Indian Health Service failing to fully fund the OST Ambulance Service Program, and

WHEREAS, Oglala Sioux Tribal Council Resolution 20-18 began a timeframe under the law, and there presently is a date of February 12, 2021 set for retrocession of the OST Ambulance Service program to occur, and


WHEREAS, based on the Tribe's negotiations with the Indian Health Service, the Oglala Sioux Tribal Council has determined that it is in the best interest of the Oglala Sioux Tribe and the Oglala Oyate to rescind Oglala Sioux Tribal Council Resolution 20-18 to allow more time to negotiate with the Indian Health Service about the operation of the OST Ambulance Service Program; now

THEREFORE, BE IT RESOLVED, that based on the Oglala Sioux Tribe's negotiations with the Indian Health Service and determinations of what is in the best interest of the Oglala Sioux Tribe and the Oglala Oyate, the Oglala Sioux Tribal Council hereby rescinds Oglala Sioux Tribal Council Resolution 20-18 to allow more time to negotiate with the Indian Health Service about the operation of the OST Ambulance Service Program, and


BE IT FURTHER RESOLVED, that the Oglala Sioux Tribal Council refers to the Oglala Sioux Tribal Council Health and Human Services Committee the matter of continuing negotiations with the Indian Health Service, including the development of another proposal, as necessary, regarding the operation of the OST Ambulance Service Program.

C-E-R-T-I-F-I-C-A-T-I-O-N

I, as undersigned secretary of the Oglala Sioux Tribal Council of the Oglala Sioux Tribe, hereby certify that this Resolution was adopted by a vote of: 19 For; 1 Against; 0 Abstain; 1 Not Voting; during a REGULAR SESSION held on the 26th day of JANUARY, 2021.


STACY L. TWO LANCE
Secretary
Oglala Sioux Tribe

A-T-T-E-S-T:



KEVIN KILLER
President
Oglala Sioux Tribe

